

REMARKS

In this Amendment, Applicants amend claims 1, 3, 11, 12, 23, 25, 33, 34, 45, and 46 to more appropriately define the invention, and add new claims 48-145. Upon entry of this Amendment, claims 1-145 are currently pending in this case, with claims 16-22, 38-44, and 47 being withdrawn from further consideration as directed to a non-elected invention.

In the Office Action dated January 5, 2004, the Examiner rejected claims 1-15, 23-37, and 45-46 under 35 U.S.C. § 103(a) as being unpatentable over *McNeely et al.* (U.S. Patent No. 4,443,027) in view of *Basch et al.* (U.S. Patent No. 6,119,103).

Applicants amend claims 1, 3, 11, 12, 23, 25, 33, 34, 45, and 46 to more appropriately define the invention and to reflect proper antecedent basis. Applicants add new claims 48-145 to more appropriately define the invention. Support for Applicants' new claims 48-145 can be found, for example, in the specification on pages 11-12, 17-39, and 41-45.

New Independent claim 128 recites a method for managing a credit card account for a consumer, comprising:

...
determining a particular merchant to be associated with the credit card;
establishing a first line of credit associated with the credit card, wherein the first credit line is for purchase transactions associated with the particular merchant;
establishing a second line of credit line associated with the credit card, wherein the second line of credit is for purchase transactions associated with merchants other than the particular merchant;
associating the first line of credit with a first credit limit and the second line of credit with a second credit limit, wherein the first credit limit is higher than the second credit limit;

determining, for each purchase transaction made by the consumer, whether the purchase transaction is to be associated with the first line of credit or with the second line of credit; and
providing an account statement to the consumer, wherein the account statement identifies which purchase transactions are associated with the first line of credit and the second line of credit, respectively;
wherein a payment received from the consumer is allocated to at least one of the first and second lines of credit.

Applicants respectfully submit that, in addition to claims 1-15, 23-37, and 45-46, new independent claim 128 is also patentable over *McNeely et al.* in view of *Basch et al.* for the reasons given in the response filed April 2, 2004. As required under 35 U.S.C. §103(a), the prior art reference (or references when combined) must teach or suggest all the claim elements, and *McNeely et al.* and *Basch et al.* fail to teach or suggest the claim elements of new independent claim 128.

More specifically, as discussed in the response filed on April 2, 2004, *McNeely et al.* is directed to a system of providing a multiple-company credit card system that issues a primary plate to each participating credit card user. (Col. 2: 1-5). The system enables “each participating credit-card user to add or subtract credit authorizations without replacing the personally-tailored primary plate.” (Col. 2: 13-16). The system also “tailors the credit authorizations represented on the primary plate to the credit preferences, requirements and qualifications of each individual, participating credit-card user.” (Col. 2: 5-10). On the primary plate’s surface there is room for a photograph, a blank space for the authorized user’s signature, an account number, and indicators, each indicator representing different credit accounts. (Col. 3-4: 5-60). Merchants and service providers who honor the primary plate are supplied with appropriate equipment means to enlarge, decode, translate or interpret the specific credit-source identification

and user identification means, e.g., a magnifying viewer or a computer terminal, such means to be used operatively with the primary plate. (Col. 4: 66 - Col. 5: 4).

McNeely et al., however, contains no disclosure or suggestion of at least “determining a particular merchant to be associated with the credit card; establishing a first line of credit associated with the credit card, wherein the first credit line is for purchase transactions associated with the particular merchant; establishing a second line of credit line associated with the credit card, wherein the second line of credit is for purchase transactions associated with merchants other than the particular merchant; associating the first line of credit with a first credit limit and the second line of credit with a second credit limit, wherein the first credit limit is higher than the second credit limit; determining, for each purchase transaction made by the consumer, whether the purchase transaction is to be associated with the first line of credit or with the second line of credit; and providing an account statement to the consumer, wherein the account statement identifies which purchase transactions are associated with the first line of credit and the second line of credit, respectively; wherein a payment received from the consumer is allocated to at least one of the first and second lines of credit” as required by claim 128.

Basch et al., cited by the Examiner to merely show a risk prediction system, fails to cure the deficiencies of *McNeely et al.* noted above. Therefore, *McNeely et al.* and *Basch et al.*, whether taken alone or in combination, fail to teach or suggest all of the elements of new independent claim 128.

Applicants submit that new independent claim 128 is allowable, for the reasons argued above. In addition, new dependent claims 48-127 and 129-145 are also

allowable at least by virtue of their respective dependence from one of allowable base claims 1, 11, 23, 33, 45, 46, and 128 for the reasons given above and in the response filed on April 2, 2004.

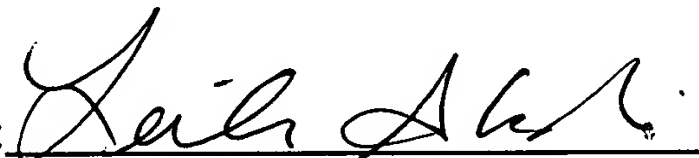
I. Conclusion

For the same reasons stated in the Amendment filed on April 2, 2004, Applicants respectfully request the timely allowance of each of the pending claims. Please grant any extensions of time required to enter this Supplemental Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 8, 2004

By: 
Leila Abdi
Reg. No. 52,399